

IN THE CIRCUIT/COUNTY COURT OF THE TENTH JUDICIAL
CIRCUIT IN AND FOR POLK COUNTY, FLORIDA

COPY

Agency # WHPD2013-003559
OBTS#
Booking #
Case #

ARREST WARRANT

IN THE NAME OF THE STATE OF FLORIDA:

TO: All and singular, the sheriff's of Florida and other authorized officers.

WHEREAS the Court has found probable cause from the sworn complaint affidavit or other testimony under oath to believe that the person named below committed:

- | | | |
|----------------------------------|----------------------|------------|
| 1) <u>Aggravated Child Abuse</u> | <u>FSS 827.03(2)</u> | <u>F-1</u> |
| 2) <u>Manslaughter</u> | <u>FSS 782.07(1)</u> | <u>F-2</u> |

YOU ARE HEREBY COMMANDED to arrest, instantler, the person named below for the crime(s) named above to be brought before the Court and dealt with according to the law.

Defendant: Britt, Danny Colt	Race/Sex: W/M	DOB: 06/08/1984	Alias: N/A
Address: 9571 Williams Dr, Winter Haven, FL 33884			
Height: 6'01"	Weight: 150	Hair: Brown	Eyes: Brown
Social Security #:		Driver License #:	
Place of Birth: Florida Scars: None Complexion: Light Build: Medium Marital Status: Single			
Occupation: Labor/Construction Employer: SAVKO, 1077 Snivley Ave, Winter Haven, FL			

Bail is set at:

- 1) *No Bond until FAH*
2) *\$5,000*

GIVEN UNDER MY HAND AND SEAL THIS 7th DAY OF June, 2013, returned on demand.

[Signature]
JUDGE

RETURN

Received this warrant on the _____ day of _____, 20____ and executed same on the _____ day of _____, 20____, by arresting the above-named defendant.

Deputy Sheriff/Law Enforcement Officer

By: _____

cc: STATE ATTORNEY

RECEIVED
POLK COUNTY SHERIFFS OFFICE
2013 JUN -7 AM 2:05

() Juvenile (X) Adult

Booking number: _____

In the Circuit/ County Court in the 10th Judicial in and for Polk County, Florida

() Complaint Affidavit () Arrest report

Reporting agency/ report number: Winter Haven Police Department, 2013-03559

Reporting Officer: Detective II Scott Evans Id#: W446 Agency Number: 531600 OBIT S:

City of Winter Haven, County of Polk, State of Florida; The undersigned affiant swears that he has just and reasonable grounds to believe, Aggravated Child Abuse and Manslaughter occurred on May 18, 2013, at 9571 Williamsburg Dr, Winter Haven, Polk County, Florida.

Name (last/first/ middle): Britt, Danny Colt A.K.A: Colt

R/S: white/male DOB: 06-08-84 Ht: 6'01" Wt: 150 Hair: Brown Eyes: Brown Complexion:

Light Build: Medium S.S. #: State of Florida ID/ DL:

POB: Florida Last known add: 9571 Williamsburg Dr, Winter Haven, Fl 33884 Occupation: SAVKO, 1077 Snively Ave, Winter Haven, Fl 33880, phone: 863-875-7863, general labor

Committed the offense(s) of:

1. Aggravated Child Abuse FSS: 827.03(2)© Degree: Felony-1
2. Manslaughter FSS: 782.07(1) Degree: Felony-2

Probable cause:

On May 18, 2013, at approximately 0357 hrs, the Winter Haven Police Department along with Polk County EMS responded to 9517 Williamsburg Ct. in Winter Haven in reference to a medical emergency. The initial information given to police was provided by the father of the child, Danny Colt Britt, who is the defendant in this case. The initial information given was that the defendant and the child, Mason Britt (6 weeks old) were both sleeping in the master bedroom. The defendant stated that he awoke to the sound of the baby crying. The defendant stated that he got out of bed and removed the child from the crib and placed the child in bed with him. The defendant stated that a few moments later, his girlfriend and mother of the child, Nina Mirsalim, came into the room with the intention of feeding the baby and changing its diaper. The defendant stated that when he began to move the child into a position for the changing of the diaper, he noticed that the child was not breathing and appeared to be lifeless. The defendant also stated that he observed blood coming from the nose of the child. The defendant then called 911 and followed the CPR instructions of the 911 operator until police and EMS arrived.

The child was transported to the Winter Haven Hospital where he was pronounced dead at 0500 hrs by Dr. Victor Aramayo.

The defendant and Mirsalim were both interviewed at the Winter Haven Hospital. Both maintained at that time that they had no idea what might have happened to the child whatsoever. The defendant stated that he had been alone in the master bedroom with the child from approximately 10:00 pm until the time he found the child unresponsive.

Mirsalim stated that she had been in the living room watching television while the defendant and the child were in the master bed room. Mirsalim stated that no other persons were inside the bedroom with the defendant and the child.

Following the interviews, the defendant and Mirsalim agreed to responded back to their apartment in order to conduct a recorded video reenactment of events leading up to the medical emergency involving their child. Britt also signed a consent to search waiver with the understanding that some evidence might be collected from the home.

During the reenactments, both the defendant and Mirsalim provided accounts consistent with the statements provided at the hospital.

On May 20, 2013, an autopsy was performed on Mason Britt by Associate Medical Examiner for the 10th Judicial Circuit, Dr. Vera Volnikh, M.D. During this autopsy, Dr. Volnikh discovered a head injury above the left ear of the child. Dr. Volnikh stated that this injury could only have been caused by a significant blow or blows to the child's head. Dr. Volnikh stated that the child could not have caused this severe of an injury to itself. Dr. Volnikh advised the child's brain had swelled from its normal size of 400 grams to nearly 600 grams as a result of the injury.

On May 28, 2013, Mirsalim and the defendant were asked to come to the Winter Haven Police Department for an additional interview. Both Mirsalim and the defendant agreed and drove themselves to the police department.

Mirsalim was interviewed by Det. Shane Ditty and Det. Scott Evans. Mirsalim's interview was consistent with her previous statement in every way.

The defendant was also interviewed by Det. Ditty and Det. Evans. The defendant initially provided the same account of events that he had previously given. After a lengthy interview, and after showing the significant injury to the side of the child's head, the defendant stated that he must have struck the child's head against a dresser when removing the child from the crib.

Approximately one hour later, the defendant changed his account again and stated that he picked the child up and was holding it in his arms. He stated that he walked from the bed over to the closet in order to turn on a light when he tripped over a pair of jeans that were lying in the floor and fell with the child still in his arms onto the side of the bed. The defendant further stated that the child may have struck the wooden foot board on the bed. The defendant stated that the child began to cry after the fall so he took the child over toward the closet light and held the child close to the light in order to check the child out for injuries. Not seeing any injuries, the defendant stated that he laid back in bed with the child. The defendant stated that shortly thereafter, Mirsalim came into the room in order to feed and change the child's diaper when he noticed the child was not breathing.

On May 30, 2013, the defendant provided another reenactment of the events leading up to the medical emergency involving his child. The defendant's reenactment was consistent with his final statement given at the Winter Haven Police Department on May 28, 2013. While at the apartment the foot board to the bed was collected as evidence. On June 4, 2013, Det. Ditty, Lt. David Castle, and Sgt. Mitch Meadows met with Dr. Volnikh to further discuss the case. The footboard was examined by Dr. Volnikh. Dr. Volnikh stated that the footboard could not have caused the fatal injury to the child. Dr. Volnikh also stated that the fatal injury to the child would have most likely caused death in anywhere from 10 seconds to 30 minutes.

Dr. Volnikh has determined that the head injury in question did in fact cause the death of the child. Dr. Volnikh has also stated that she is ruling this death a homicide.

On June 6, 2013 at 7:00pm, the defendant was scheduled to undergo a polygraph examination at the Winter Haven Police Department. At approximately 12:00pm, we learned that the defendant had been advised by an attorney not to undergo the polygraph examination. The polygraph did not take place.

The defendant, by his own admission and that of Mirsalim, was alone with the child during the time the fatal injury occurred. The defendant has provided two very different accounts of how the child sustained the injury; neither of which are plausible in the professional medical opinion of Dr. Vera Volnikh.


Based on the medical evidence, the fact that the defendant was in care, custody and control of the child during the time the fatal injury occurred and the inconsistent statements from the defendant, your affiant believes a probable cause exists that this time for the charges of manslaughter and aggravated child abuse.

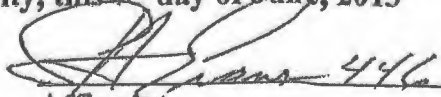
Victim: Mason Britt-born April 9 2013, killed May 18, 2013 Add: 9571 Williamsburg Dr, Winter Haven, Fl 33884 (352) 321-2764

Witness#1: Nina Mirsalim Address: 9571 Williamsburg Dr, Winter Haven, Fl 33884 (352) 321-2764

Witness#2: Sheena Pagan-Mirsalim, 2514 Clermont Ave, Sanford, Fl 32773 (321) 279-0858

Sworn to and subscribed before me, the undersigned authority, this 7th day of June, 2013

Det.  ASD# 441
Law Enforcement Officer

 446
Affiant

() No Bill/ Petition () Prosecution approved Assistant State Attorney: _____